

16 FAM 220 MEDICAL CLEARANCE

(CT:MED-1; 02-18-2005)

(Office of Origin: M/MED)

16 FAM 221 MEDICAL CLEARANCE FOR FOREIGN SERVICE CANDIDATES AND THEIR FAMILIES

(CT:MED-1; 02-18-2005)

(Uniform State/BBG/USAID/Commerce/Foreign Service Corps—USDA)

(Applies to Civil Service and Foreign Service Employees)

- a. The Office of Medical Services (M/MED) is responsible for establishing pre-employment medical standards and issuing medical clearance determinations. See 22 CFR 11.1(e)(4) and 5 CFR Part 339, Subparts B and C.
- b. All candidates who have received conditional offers of employment in the Foreign Service must, along with eligible family member(s), receive a medical examination and be issued a medical clearance. If the candidate does not receive a Class 1 (UNLIMITED CLEARANCE FOR WORLDWIDE ASSIGNMENT) classification, the candidate will be issued a Class 5 (NOT CLEARED FOR ASSIGNMENT ABROAD) classification, due to medical reasons. The candidate may request from the hiring agency an administrative waiver of the medical standards for employment.
- c. A pre-employment medical clearance is valid for two years from the date of issuance unless there is a change in the candidate's medical condition. If the candidate does not enter on duty within two years of receiving the medical clearance, this clearance becomes void and a new medical evaluation and clearance action will be required.
- d. The candidate is responsible for reporting to the Office of Medical Services any changes in his or her own or eligible family members' medical condition(s) that could affect appointment to the Foreign Service or assignment abroad. The candidate should make his or her report on Form DS-3057, Medical Clearance Update.
- e. M/MED may authorize payment for additional testing which notifies the candidate that additional medical information is required prior to making a clearance decision.

- f. The appropriate agency and candidate are notified by Form DS-823, Medical Clearance, of the medical clearance classification of the candidate and candidate's eligible family member(s).

16 FAM 222 WAIVER OF PRE-EMPLOYMENT STANDARDS

(CT:MED-1; 02-18-2005)

(Uniform State/BBG/USAID/Commerce/Foreign Service Corps—USDA)

(Applies to Civil Service and Foreign Service Employees)

- a. When a candidate is disqualified from employment because of a medical condition, the candidate may initiate a request for an administrative waiver of the pre-employment standards from the hiring agency. The Agency's Employment Review Committee (ERC), in consultation with the Office of Medical Services (M/MED), will review the candidate's waiver request.
- b. The ERC will review the case of any candidate who has been medically disqualified for employment in the Foreign Service when the candidate has requested an administrative review. In making its decision, the panel shall consider the totality of the circumstances including, but not limited to, the following:
 - (1) The medical risk to the examinee and others at post because of the lack of adequate medical care at post abroad for specific medical condition(s);
 - (2) The ability of the U.S. Government Agency to assign the candidate to posts worldwide;
 - (3) The best interest of the U.S. Government and the Foreign Service; and
 - (4) The potential cost to the U.S. Government and the Foreign Service. The ERC will make its decision by majority vote of the members present. ERC decisions are final and are not subject to further appeal by the candidate. See also 22 CFR Part 11.1(e)(5) and 5 CFR Part 339, Subparts B and C.
- c. Waiver of the pre-employment clearance physical examination based on religious convictions cannot be granted for either the candidate or eligible family member(s).

16 FAM 223 MEDICAL CLEARANCE DETERMINATION FOR EMPLOYEES AND THEIR ELIGIBLE FAMILY MEMBERS (IN-SERVICE)

(CT:MED-1; 02-18-2005)

(Uniform State/BBG/USAID/Commerce/Foreign Service Corps—USDA)

(Applies to Civil Service and Foreign Service Employees)

- a. Each agency must verify an employee's or eligible family member's medical clearance status before considering his or her assignment abroad. If an employee or eligible family member has a Class 2 Medical Clearance (LIMITED CLEARANCE FOR ASSIGNMENT ABROAD), there must be post-specific approval from the Office of Medical Services (M/MED) based on the person's medical condition prior to assignment. Failure to obtain post-specific approval before traveling abroad may result in the individual being denied participation in the Medical Program and access to health units abroad.
- b. Each employee and eligible family member must have a valid and current medical clearance or waiver (for medical review and waiver, see 16 FAM 225) before traveling to a post abroad, while at post, or before moving from one post to another.
- c. All temporary duty (TDY) personnel eligible for the Medical Program, including Civil Service and WAE (while actually employed) employees, when assigned abroad on temporary duty for more than 60 days within a calendar year, must have a valid and current medical clearance.
- d. Employees and eligible family members are required to notify the Medical Clearance Section of M/MED of any change in medical condition that could affect assignment outside the United States. If a pregnant employee or eligible family member is in the United States and plans to deliver in the United States within three months of planned departure for a post abroad, she will not be authorized travel to that post until after delivery.
- e. An updated medical clearance is not required while assigned within the United States unless TDY travel of greater than 60 days per calendar year is expected. Employees and eligible family members, except TDY employee's family members, must renew their medical clearances prior to the next assignment abroad or prior to entry into long-term language training in preparation for assignment abroad.
- f. A medical clearance for individuals assigned abroad is valid for two years or the length of the tour, whichever is longer, unless there is a change in the individual's medical condition that could affect his or her medical clearance. A valid medical clearance or waiver must be maintained for

each employee and eligible family member while located abroad. For medical review and waiver, see 16 FAM 225.

- g. Class 2 medical clearance (LIMITED CLEARANCE FOR ASSIGNMENT ABROAD) is only valid for the post to which the individual is assigned. If an individual with a Class 2 clearance is to be transferred directly to another post, the clearance section of M/MED must be informed by the employee or the employee's agency of the planned direct transfer and receive post-specific approval directly from M/MED's Clearance Section prior to transfer.

16 FAM 224 MEDICAL CLEARANCE CLASSIFICATIONS FOR APPLICANTS, EMPLOYEES, AND ELIGIBLE FAMILY MEMBERS (ONLY CLASSES 1, 5, AND 7 PERTAIN TO APPLICANTS AND ELIGIBLE FAMILY MEMBERS)

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(Uniform State/BBG/USAID/Commerce/Foreign Service Corps—USDA)

(Applies to Civil Service and Foreign Service Employees)

The clearance classifications are:

- (1) Class 1—UNLIMITED CLEARANCE FOR WORLDWIDE ASSIGNMENT: Issued to examinees who have no identifiable medical conditions that would limit assignment abroad;
- (2) Class 2—LIMITED CLEARANCE FOR ASSIGNMENT ABROAD: Issued to examinees who have a medical condition that requires periodic and/or specialized medical evaluation or treatment, or whose medical condition would be aggravated by conditions at specific posts. The Office of Medical Services (M/MED) determines approval for assignment to a specific post based on the criteria above;
- (3) Class 5—NOT CLEARED FOR ASSIGNMENT ABROAD: Issued to examinees who have a medical condition which is incapacitating or for which necessary specialized medical care is best obtained in the United States. Employees or eligible family members with a Class 5 medical clearance may not be assigned outside the United States;
- (4) CLASS 6—CLEARANCE FOR TEMPORARY TRAVEL ABROAD: Issued to a family member eligible for the Medical Program who is not medically cleared for an assignment abroad but who wishes to travel abroad for a defined period of time for visitation. Extensions

of this temporary clearance over the time limitation must be requested by cable from the post to the Office of Medical Services with the appropriate bureau or agency's approval;

- (5) CLASS 7—PENDING ACTION AWAITING CLEARANCE DECISION: Issued to examinees awaiting completion of the examination or evaluation of a medical condition. The examinee is placed in a pending status while awaiting clearance determination and is not authorized to travel abroad until a valid medical clearance or waiver is issued;
- (6) CLASS 8—SEPARATION PHYSICAL INCOMPLETE OR WAIVER NOT SUBMITTED: Issued to examinees who have failed to submit or complete the separation medical examination or submit a Form DS-1689, Waiver of Medical Claim, within 90 days after separation from the Foreign Service; and
- (7) CLASS 9—SEPARATION FROM THE MEDICAL PROGRAM: Issued to examinee following review of the completed separation physical. This includes eligible family members who have reached age 21, or persons leaving the Medical Program through legal separation from the employee.

16 FAM 225 MEDICAL REVIEW OF CLASS 2 AND CLASS 5 IN-SERVICE CLEARANCE OR ASSIGNMENT DECISION

(CT:MED-1; 02-18-2005)

(Uniform State/BBG/USAID/Commerce/Foreign Service Corps—USDA)

(Applies to Civil Service and Foreign Service Employees)

- a. An employee may request a review of his or her own or eligible family member's restricted medical clearance (Class 2 or Class 5) or denial for assignment to a specific post by submitting a request to the Medical Director of the Office of Medical Services (M/MED).
- b. The Medical Director will convene a three-physician panel to review the request and recommend a clearance decision. The panel's recommendation will be presented to the Medical Director for a final review and determination of the medical clearance.
- c. The panel of physicians shall consider the totality of the circumstances of the limited medical clearance including, but not limited to, the following criteria:
 - (1) Medical risk to the examinee and others at post;

- (2) The availability of competent and adequate medical care at post to manage the subject's specific medical condition(s);
 - (3) The possibility of medical evacuation from post for medical follow-up; or
 - (4) The requirement for specific medical services or equipment not available at post or in the region.
- d. If the physician panel and the Medical Director uphold the restrictive medical clearance decision, the employee may request the Director of Human Resources of his or her agency to grant an administrative waiver for assignment abroad. If the administrative waiver is granted by the agency, the employee may proceed on assignment and is eligible for medical benefits during that assignment only. Any subsequent assignment abroad will require a new clearance decision.

16 FAM 226 EMPLOYEE RESPONSIBILITY

(CT:MED-1; 02-18-2005)

(Uniform State/BBG/USAID/Commerce/Foreign Service Corps—USDA)

(Applies to Civil Service and Foreign Service Employees)

- a. It is the employee's responsibility to initiate the clearance or waiver process for the employee and his or her eligible family member(s) at least 90 days prior to departure for an onward assignment from the United States or post abroad.
- b. The employee must insure that he or she and his or her eligible family member(s) obtain a valid medical clearance or waiver. If the clearance is a Class 2, the employee must obtain medical approval for the post of assignment prior to departure for an onward assignment.
- c. An employee or eligible family member(s) with a Class 2 (LIMITED CLEARANCE FOR ASSIGNMENT ABROAD) clearance must be medically cleared for each post to which he or she is assigned. Prior to considering assignment to a specific post or posts, the employee must provide current medical information to the Medical Clearance Section of the Office of Medical Services (M/MED) to assist in identifying posts that pose minimal risks to his or her relevant medical condition. The availability of appropriate health care resources necessary for follow-up testing or management of the medical condition is considered in determining medical approval for assignment to a post.

- d. An employee has a responsibility to monitor his or her medical condition and follow the recommended treatment when abroad. Failure to follow procedures and/or the recommended course of treatment may result in a change in the employee's medical clearance by the Medical Clearance Section.

16 FAM 227 MEDICAL CLEARANCE PROCESS FOR NEW FAMILY MEMBERS ACQUIRED THROUGH MARRIAGE, BIRTH OR LEGAL ADOPTION, OR GUARDIANSHIP

(CT:MED-1; 02-18-2005)

(Uniform State/BBG/USAID/Commerce/Foreign Service Corps—USDA)

(Applies to Civil Service and Foreign Service Employees)

- a. It is the employee's responsibility to see that a new family member has a medical examination and receives a medical clearance or waiver within 90 days after becoming an eligible family member.
- b. A new family member is eligible for medical benefits for up to 90 days while awaiting a medical clearance decision.
- c. If an employee is abroad and the new family member's clearance is determined by the Medical Director or designee to be a Class 2 or Class 5, the advisability of the family member remaining at post will be considered at that time.

16 FAM 228 MEDICAL CLEARANCE AND AUTHORIZATION OF MEDICAL BENEFITS

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(Uniform State/BBG/USAID/Commerce/Foreign Service Corps—USDA)

(Applies to Civil Service and Foreign Service Employees)

- a. The Office of Medical Services (M/MED) will review all medical clearance examinations and issue an appropriate medical clearance. The Bureau of Human Resources, Office of Career Development and Assignments (HR/CDA) will have access to the database that indicates medical clearance status and will consider this information when deciding assignments. It is the policy of the Bureau of Human Resources not to authorize travel orders until the Office of Medical Services has issued a current and appropriate medical clearance (Class 1 or Class 2). Persons with limited medical clearances (Class 2) are also required to obtain post-specific approval from M/MED prior to travel.

- b. Personnel being assigned abroad have been instructed to obtain medical examinations and medical clearances before traveling to post (see 16 FAM 115, paragraph b). An employee or eligible family member who is abroad without a valid medical clearance or waiver will not be authorized medical benefits and related allowances, such as medical travel, medical per diem, hospitalization reimbursement, and will not be allowed access to the health unit.

16 FAM 229 UNASSIGNED